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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 19746	
In Re Application Of: Larry L. Ward, et al. OCT 26 2006					
Application No. 10/575,928	Filing Date April 14, 2006	Examiner Unassigned	Customer No. 23389	Group Art Unit Unassigned	Confirmation No. Unassigned
Title: POXVIRUS VECTOR ENCODING RETROVIRUS (EG HIV) AND CYTOKINE					
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
37 CFR 1.97(b)					
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.					
37 CFR 1.97(c)					
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:					
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);					
OR					
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).					

# TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) and 1.97(c))

Docket No.

19746

In Re Application of: Larry D. Sward, et al.

Application No.

10/575,928

Filing Date

April 14, 2006

Examiner

Unassigned

Customer No.

23389

Group Art Unit

Unassigned

Confirmation No.

Unassigned

Title:

POXVIRUS VECTOR ENCODING RETROVIRUS (EG HIV) AND CYTOKINE

## Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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October 24, 2006

(Date)

Signature of Person Mailing Correspondence

Xiaochun Zhu

Typed or Printed Name of Person Mailing Certificate

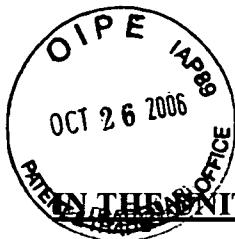
\*This certificate may only be used if paying by deposit account.

Signature

Dated: October 24, 2006

Xiaochun Zhu  
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**Applicants:** Larry D. Ward, et al.

**Examiner:** Unassigned

**Serial No.:** 10/575,928

**Art Unit:** Unassigned

**Filed:** April 14, 2006

**Docket:** 19746

**For:** POXVIRUS VECTOR ENCODING  
RETROVIRUS (EG HIV) AND CYTOKINE

**Dated:** October 24, 2006

Mail Stop PCT  
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P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. PCT International Publication No. WO 00/28003, published May 18, 2000;
2. Kent S.J. et al., "A Recombinant Avipoxvirus HIV-1 Vaccine Expressing Interferon-Gamma is Safe and Immunogenic in Macaques", *Vaccine* 18:2250-2256 (2000);
3. PCT International Publication No. WO 2004/058278 A1, published July 15, 2004; and
4. Jiang W. et al., "Construction and Identification of Recombinant Fowlpox Virus Coexpressing HIV-1CN gp120 and hIL-6", *Chin J. Microbiol Immunol* 23(6):414-417 (2003), Chemical Abstracts 141:151863.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**Dated:** October 24, 2006

  
Xiaochun Zhu

The references were cited in an International Search Report dated December 21, 2004 received from the Australian Patent Office. Applicants are submitting a copy of the above-cited references. Applicants previously submitted a copy of the International Search Report on April 14, 2006. The relevance of the above-identified references has been described in the International Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



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<b>INFORMATION DISCLOSURE CITATION</b> <small>(Use several sheets if necessary)</small>				Docket Number (Optional) <b>19746</b>		Application Number <b>10/575,928</b>	
				Applicant(s) <b>Larry D. Ward, et al.</b>			
				Filing Date <b>April 14, 2006</b>		Group Art Unit <b>Unassigned</b>	

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
/L.H./		WO 00/28003	5/18/00	PCT	X	X	✓	
/L.H./		WO 2004/058278 A1	7/15/04	PCT			✓	

OTHER DOCUMENTS		<i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>
/L.H./		Kent S.J. et al., "A Recombinant Avipoxvirus HIV-1 Vaccine Expressing Interferon-Gamma is Safe and Immunogenic in Macaques", Vaccine 18:2250-2256 (2000)
/L.H./		Jiang W. et al., "Construction and Identification of Recombinant Fowlpox Virus Coexpressing HIV-1CN gp120 and hIL-6", Chin J. Microbiol Immunol 23(6):414-417 (2003), Chemical Abstracts 141:151863

EXAMINER /Louise Humphrey/	DATE CONSIDERED 11/02/2009
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.